

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP
(954) 797-1101

SUBJECT: Quasi Judicial Hearing: Rezoning

ZB 3-2-01 Town of Davie, 4200 SW 61 Avenue/Generally located on the east side of SW 61 Avenue, 700 feet north of Orange Drive.

TITLE OF AGENDA ITEM:

ZB 3-2-01 Town of Davie, petitioner/owner (M-1)

REPORT IN BRIEF:

This rezoning is for a 4.625 acre site currently designated as M-1, Light Industrial District which was recently purchased by the Town to be utilized as a public park. The park will include a variety of amenities that are typical of a public park. The proposed Recreation/Open Space District zoning designation will be consistent with the Regional Activity Center Land Use Plan classification, and the parcel meets the conventional nonresidential development criteria. Currently, SW 61 Avenue serves as a local collector and has adequate capacity to handle the traffic generated by a park. Staff finds that the proposed rezoning is consistent with goals, objectives, policies and permitted uses of the Comprehensive Plan, and satisfies the criteria of Section 12-307 of the Land Development Code, review for rezonings.

PREVIOUS ACTIONS: None

CONCURRENCES:

The Planning and Zoning Board recommended approval of the request at its June 27, 2001 meeting (Motion carried 5-0).

FISCAL IMPACT: None

RECOMMENDATION(S):

Motion to approve.

Attachment(s):

Land use map, Subject site map, Aerial

Application #: ZB 3-2-01

Revisions:

Exhibit "A"

Original Report Date: 6/29/01

**TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation**

APPLICANT INFORMATION

Owner/Agent:

Name: Town of Davie
Address: 6591 Orange Drive
City: Davie, FL 33314
Phone: (954)797-1035

BACKGROUND INFORMATION

Date of Notification: June 20, 2001 **Number of Notifications:** 140

Application History: No deferrals have been requested.

Application Request: Rezone the 4.625 acre subject site **FROM:** M-1, Light Industrial District; **TO:** RS, Recreation/Open Space District.

Address/Location: 4200 SW 61 Avenue/Generally located on the east side of SW 61 Avenue, 700 feet north of Orange Drive.

Future Land Use Plan Designation: Regional Activity Center

Zoning: M-1, Light Industrial District

Existing Use: Vacant

Proposed Use: Public Park

Parcel Size: 4.625 acres (210,480.5 square feet)

Surrounding Uses:
North: Summer Lake Apartments
South: Industrial
East: Industrial
West: Multi-family residential

**Surrounding Land
Use Plan Designation:**
Regional Activity Center
Regional Activity Center
Regional Activity Center
Regional Activity Center

Surrounding Zoning:

North: RM-16, Medium-High Density Dwelling District
South: M-1, Light Industrial District

East: M-1, Light Industrial District
West: RM-10, Medium Density Dwelling District

ZONING HISTORY

Related Zoning History: This parcel is inside the Regional Activity Center Future Land Use Plan designation that was adopted by Town Council in 1998, and is inside the Community Redevelopment Area.

Previous Request on same property: None

APPLICATION DETAILS

The Town recently purchased the 4.625 acre subject site for use as a public park. The park will include a heated swimming pool, rest room facilities, pool deck, hard court for basketball, tennis and volleyball, asphalt recreational trail, picnic shelters, playground, athletic field, concrete walks, landscaping, parking, and irrigation.

Applicable Codes and Ordinances

1. Section 12-307 of the Land Development Code, review for rezonings.
 2. Section 12-83 of the Land Development Code, Conventional Nonresidential Development Standards, RS, Recreation/Open Space District, requires minimum lot area of 17,500 square feet, no minimum lot frontage, minimum front, side and rear setbacks of 25 feet, and maximum building height of 25 feet.
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Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 8. This Planning Area is the heart of Davie and is the most diverse, characterized by older, small-scale commercial development, older single-family residential neighborhoods, and newer, large-scale multi-family residential developments that serve the rapidly growing South Florida Education Center (SFEC). It is bounded on the north by Nova Drive, south by Orange Drive, east by Florida's Turnpike, and west by University Drive. The planning area encompasses the downtown Davie Business District, where western theme architecture is required, the Davie Town Hall and Rodeo Arena, two large mobile home communities, and industrial land.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 99.

Applicable Goals, Objectives & Policies: Future Land Use Policy 11-2: The location and designation of lands for Recreation and Open Space use shall recognize the need for active and passive recreational facilities while preserving open spaces for aesthetic and environmental purposes.

Staff Analysis

The proposed zoning will be consistent with the Regional Activity Center Land Use Plan designation. The parcel meets the conventional nonresidential development criteria.

Currently, SW 61 Avenue serves as a local collector and has adequate capacity to handle the traffic generated by a park. Staff finds that the proposed rezoning is consistent with goals, objectives, policies and permitted uses of the Comprehensive Plan, and satisfies the criteria of Section 12-307 of the Land Development Code, review for rezonings.

Findings of Fact

Rezonings:

Section 12-307(A)(1):

The following findings of facts apply to the rezoning request.

- (a) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;
- (b) The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;
- (c) Existing zoning district boundaries are logically drawn in relation to existing conditions on the property proposed for change;
- (d) The proposed change will not adversely affect living conditions in the neighborhood;
- (e) The proposed change will not create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;
- (f) The proposed change will not adversely affect other property values;
- (g) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;
- (h) The proposed change does not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;
- (i) There are not substantial reasons why the property cannot be used in accord with existing zoning.
- (j) The proposed zoning designation may be the most appropriate designation to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

Staff Recommendation

Recommendation: Based upon the above and the finding of facts in the positive, staff recommends **approval**, of petition ZB 3-2-01.

Planning & Zoning Board Recommendation

The Planning and Zoning Board recommended approval of the request at its June 27, 2001 meeting (Motion carried 5-0).

Exhibits

1. Land use map
2. Subject site map
3. Aerial

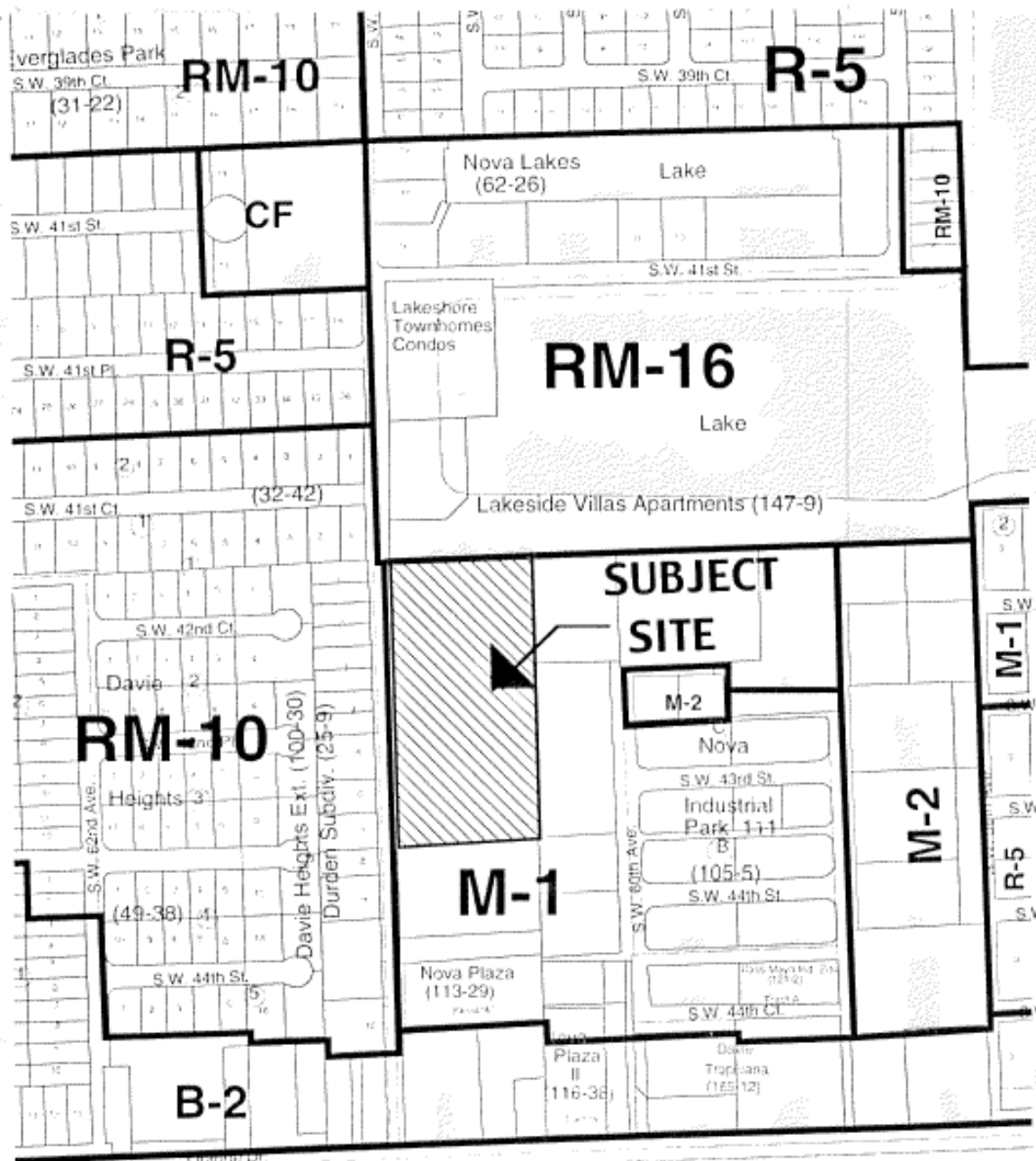
Prepared by: _____

Reviewed by: _____



PETITION NUMBER
ZB 3-2-01
Subject Site Area
Future Land Use Plan
PREPARED 6/07/01 BY THE PLANNING & ZONING DIVISION
Scale: 1"=300'

N
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PETITION NUMBER
ZB 3-2-01

Subject Site Area Zoning Map

PREPARED 6/07/01
BY THE PLANNING &
ZONING DIVISION

Scale: 1"=300'

N

